

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

UNITED STATES OF AMERICA *

*

v. *

CR 696-004-01

DONNELL SUMMERSETT *

*

O R D E R

Before the Court in the captioned case is Defendant
Donnell Summersett's "Motion for Termination of Fine."

On October 8, 1996, Defendant was sentenced to life
imprisonment on each of Counts 1 (conspiracy to possess with
intent to distribute and to distribute cocaine and cocaine
base) and 4 (possession with intent to distribute cocaine
base) and 480 months on each of Counts 2 and 3 (distribution
of cocaine base), to be served concurrently and five years of
supervised release on each count, to be served concurrently.¹
Defendant was also assessed a \$200 special assessment and a
\$25,000 fine.

In his motion, Defendant cites to 18 U.S.C. § 3613 and
points out that twenty years have elapsed since the imposition
of his sentence; thus, Defendant moves to have his fine
terminated. Section 3613(b) does provide for the termination

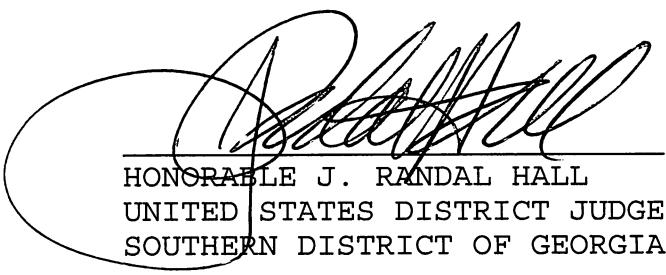
¹ Defendant received a subsequent reduction of sentence.

of liability to pay a fine, stating: "The liability to pay a fine shall terminate the later of 20 years from the entry of judgment or 20 years after the release from imprisonment of the person fined, or upon the death of the individual fined."

In this case, Defendant has not been released from prison. Accordingly, the twenty-year term of liability on his fine has not even begun and will not do so until he is released from imprisonment.

Upon the foregoing, Defendant's motion to terminate his fine (doc. 1129) is **DENIED**.

ORDER ENTERED at Augusta, Georgia, this 9 day of January, 2017.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA